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BOOK REVIEWS

SCIENCE AND LEARNING IN FRANCE. With a Survey of Opportunities for American Students in French Universities. An Appreciation by American Scholars. The Society for American Fellowships in France, 1917; pp. xxxviii, 454.

After more than three years of war which have revealed to the whole world the greatness of the French spirit, it is peculiarly fitting that a notable volume by American scholars testifying their indebtedness to and appreciation of the science and learning of France should appear in the same year which marks American participation in the war. The work under the general direction of Dean Wigmore is extremely well done. The purpose of the editors is two-fold: to put forward the contributions of France in all fields of scientific knowledge; to furnish American university students with information bearing on graduate work in France. The latter purpose is fulfilled by three voluminous appendices which give detailed statements of the organization of the universities, their requirements for degrees, etc., and in addition many practical suggestions which should prove of value to the prospective student.

The major portion of the volume is devoted to a systematic survey of what French universities have to offer in the various fields of learning from Anthropology to Zoology (the arrangement is alphabetical). The student of law will be interested chiefly in what is said of History and Law. In France these two subjects have never been divorced and if, as the editors of the section on History appropriately remark, the law professors have much to offer to the students of history, the converse is equally true. Ch. Bémont, editor of the *Revue Historique*, is but one of the French historians who have contributed greatly to the history of English law and institutions.

The section on Law pictures vividly the growth of legal study in France and essays briefly to estimate the contributions of scholars and to set forth the opportunity for American students. No doubt it will also prove useful as an introduction to French legal literature. The list of French scholars is fairly representative, though it is somewhat surprising to find the pretentious superficial work of Glisson mentioned in the same connection with the great contributions of Tardif, Esmein and Brissaud.

Naturally foreign study will appeal to but a restricted group of American law students. For him whose eye is ever on the main chance this book is not written. But, as the editors say, to the serious student abroad "one of the greatest gains must always be the sense of union with the notable events and persons of the past of his chosen field. And the profession of law in America needs to become less insular and less narrow in its outlook on the present and more aware of the continuity of all legal traditions and knowledge." These are words worth weighing; perhaps their application is not less pertinent to teachers of law. While the current of emigration of incipient scholars tended ever to Germany, our law schools may per-

chance be thankful that they remained insular. But if that current be deflected to England and France the decrease in doctoral dissertations with which the banks of the Rhine are littered may be compensated by a return to the humanities with the resultant infusion of a new spirit into our universities. If this book succeeds in calling attention to the just claims of France, the generous gift of time and labour on the part of the editors will not be in vain.

WILLARD BARBOUR.

A TREATISE ON THE LAW OF CONVERSION, by Renzo D. Bowers, Boston; Little, Brown, and Company, 1917; pp.lx, 583.

The author says that "it is somewhat remarkable that there has been thus far an absence from the list of legal publications of anything, further than short cyclopaedic discussion, that sets forth the principles applicable to so important a subject as the LAW OF CONVERSION." In other words that this is the first text-book upon that subject alone. This seems to be correct.

He justifies the publication by "the avidity with which the practitioner has always seized upon legal treatises that might be the means of assisting him in the solution of a weighty problem upon which he could elsewhere find no light." And although the common law action of trover "is now merged in the simple civil action" in the states with "the modern system of procedure," the "principles of conversion still remain as distinct and definite as they ever were."

The historical aspects of the subject are practically ignored, and although Chapter I is, "What is Conversion," and Chapter II is, "What is Trover," no reference of any kind is made to Ames's Articles in the Harvard Law Review (11 HARV. L. R. 277-80, 374-86 (1897-8)), 3 Select Essays Anglo-American Law p. 417 or his lecture on the subject in Lectures on Legal History (VII, pp. 80-87); nor to Streets' Foundations of Legal Liability (Vol. 3, Ch. XIII, pp. 159-71).

The author says there are "more than six thousand cases cited in this volume." While there are perhaps that many references to cases, the table of cases shows not much if any more than four thousand different cases. Of the 106 different cases given in Ames's Cases on Torts, and Warren's Cases on Property, on the subject of Trover and Conversion, the author of this text cites only 48. Such an important case as *Fouldes v. Willoughby*, is referred to only in this way (note 5 p. 4): "Fouldes 1. Willoughby, 8 M. & W. 540; cited in *Spooner v. Manchester*, 133 Mass. 270, 43 A. R. 514." The great case of *Hollins v. Fowler* in the House of Lords (L. R. 7 H. L. 757, 1875), is not mentioned at all, although §§ 57, 58 relate to liability of brokers and factors. The author cites and criticises *Roach v. Turk* (1872), 9 Heisk (56 Tenn.), 708, 24 A. R. 360, and says: "Yet this case is cited as an authority.—Mechem, Agency, 961." The author here does not refer to *Hollins v. Fowler*, although Mr. Mechem, in the section referred to (§ 9612 the 1st Ed. of his Agency), gives the facts in the Hollins case, and indicates not only how it differs from the Roach case, but also points out that the English case "contains interesting discussions of the broker's duties and liabilities."